



GARY R. HERBERT  
Governor

GREG BELL  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Water Rights

KENT L. JONES  
State Engineer/Division Director

March 31, 2011

Becky Taft  
Lower Fremont Water Commissioner  
PO Box 154  
Bicknell, UT 84715

Dear Becky:

We have reviewed the instructions that were originally provided to you concerning the operation of the Pleasant Creek gate at the Rosebud divider and the Oak Creek Gate through Parks Pasture to Pleasant Creek. Based on our review and the experience of the past few years, we feel that adjustments and clarification should be made in the operating instructions for those structures to insure the intent of equitable distribution and beneficial use of water in accordance with water rights is properly carried out.

Attached please find the new instructions that we feel will provide for a more efficient operation of control structures on Pleasant and Oak Creeks as part of the Lower Fremont River. Beneficial use is the operating parameter that should dictate appropriate actions in the conduct of your duties.

This letter is being sent to the water users on the Pleasant and Oak Creek. It is important that you and all the water users communicate regularly in determining if their water needs are being met. Since considerable distance is involved, phone calls can be most effective in reducing time and mileage..

Please keep me apprised of any challenges and issues that I can work with you to resolve. If you have any questions I can be reached at (801) 538-7430

Sincerely,

Mike Silva

Distribution Engineer

Enclosure: Operation of Lower Fremont

cc: Kirk Forbush, Richfield Regional Engineer  
Kay Durfey, Notom  
Boone Taylor, Notom  
Steve Dalton, Sandy Ranch  
Phil Pace, Co Chair  
Forrest Sims, co Chair  
Kendall Nelson  
Kurt Robins



## **OPERATION OF THE ROSEBUD CONTROL STRUCTURE**

After November 1 and Before April 1

- The Rosebud gate to Pleasant Creek should remain closed to allow flows to Lower Bowns Reservoir

After April 1 until the end of the irrigation season, October 31

- The Rosebud gate to Pleasant Creek should only be opened if the Notom flow is less than 6.0 cfs and if a dry dam has been established at the Notom diversion.
  - The water commissioner will make an inspection of the dry dam and the flow conditions when the Notom water users inform the water commissioner that the dry dam has been established, and they are ready to put the water to beneficial use.
- The Notom flow is determined as the sum of the flow measured through the Notom parshall flume, plus the estimated flow being diverted through the Notom sand gate plus the estimate of any flow bypassing the dry dam.
  - The Notom water rights actually total 6.3 cfs, however, the parshall flume is located ½ mile below the diversion and the flow allowed has been reduced to 6.0 cfs to account for transportation losses.
- Until the Notom flow (as defined above) drops below 6.0 cfs, the flow conditions may be reported to the water commissioner either by the Notom water users or the representative for Sandy Ranch. Any discrepancy between the reports should be investigated by the water commissioner.
- Once the Notom flow has dropped below 6.0 cfs, and Notom puts a call on the water from Rosebud, the status of the flow should be checked by the water commissioner at least weekly.
- The Rosebud gate to Pleasant Creek should only be opened to the extent necessary to provide Notom a flow in the amount of 6.0 cfs.
- Sandy Ranch is responsible for cleaning sediment that accumulates in front of the Rosebud gate to allow for incremental gate adjustments, and to insure that water flows to the Pleasant creek when the gate is partially opened.
- Flows resulting from short duration thunderstorms should be ignored in the operation of the Rosebud gate to Pleasant Creek. However, if a thunderstorm washes out the dry dam at the Notom diversion so that it is out of service for more than 24 hrs, the Rosebud gate should be closed until the dry dam is re-established.

## **OPERATION OF THE OAK CREEK DIVERSION TO PLEASANT CREEK**

(The gate near the Oak Creek Campground that directs water through Parks Pasture)

- This gate should only be opened when the Rosebud gate to Pleasant Creek is fully open and the Notom flow is less than 6.0 cfs.
- The Oak Creek flow that can be diverted to Pleasant Creek is limited to 1 cfs
  - The 12" parshall flume is not level and considerable leakage occurs underneath; appropriate accommodations should be made to account for these conditions.
- This diversion is based on a Notom water right and no portion of the flow should be diverted at the Capital Reef – Sleeping Rainbow- Lurton Knee diversion.